City Council
CURTIS W. MORRIS, Mayor
EMMETT BADAR, Mayor Pro Tem
DENIS BERTONE
JOHN EBINER
JEFF TEMPLEMAN

City Manager BLAINE M. MICHAELIS

Assistant City Manager Treasurer/City Clerk KENNETH J. DURAN



Assistant City Manager of Community Development LAWRENCE STEVENS

Director of Public Works KRISHNA PATEL

Director of Parks and Recreation THERESA BRUNS

City Attorney
J. KENNETH BROWN

Los Angeles County Board of Supervisors Kenneth Hahn Hall of Administration 500 W. Temple street Room 383 Los Angeles, CA 90012 Attn: Sachi A. Hamai, Executive Officer

Dear Ms. Hamai:

Re: General Municipal Election March 5, 2013

ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

66 October 30, 2012

SACHI A. HAMAI
EXECUTIVE OFFICER

At its regular meeting of October 9, 2012, the San Dimas City Council took official action related to the March 5, 2013 General Municipal Election.

Attached are copies of the following Resolutions:

- 1. Resolution 2012-56, Calling and giving notice of the holding of a General Municipal Election on Tuesday, March 5, 2013.
- 2. Resolution 2012-57, Placing before voters a City Measure increasing the city's Transient Occupancy Tax from 8% to 12%.
- Resolution 2012-58, Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of the March 5, 2013 General Municipal Election.
- Resolution 2012-59, Adopting regulations for Candidates for elective office pertaining to candidate's statements submitted to the voters at an election to be held on Tuesday, March 5, 2013.
- Resolution 2012-60, Providing direction to the City Clerk regarding election and measure and setting priorities for filing written arguments regarding the City Measure submitted at the March 5, 2013 General Municipal Election relating to an increase in the Transient Occupancy Tax, and directing the City Attorney to prepare an impartial analysis.
- 6. Resolution 2012-61, Providing for the filing of rebuttal arguments for the City Measure submitted at the March 5, 2013 General Municipal Election relating to an increase in the Transient Occupancy Tax.

I would appreciate you notifying me if additional information is required. I can be reached at (909)394-6212 or $\underline{dblack@ci.san-dimas.ca.us}$. Thank you for your assistance.

Cordially,

Debra Black

Deputy City Clerk

Delira Blenk

Cc: Dean C. Logan, Registrar-Recorder/County Clerk

Scott Martin, Martin & Chapman

ORDINANCE NO. 1213

AN ORDINANCE OF THE CITY OF SAN DIMAS AMENDING SECTION 3.20.020 OF THE SAN DIMAS MUNICIPAL CODE TO INCREASE THE TRANSIENT OCCUPANCY TAX ON RENT CHARGED FROM EIGHT PERCENT (8%) TO TWELVE PERCENT (12%)

The City Council of the City of San Dimas does hereby ordain as follows:

Section 1. Section 3.20.020 of the San Dimas Municipal Code is amended to read as follows:

3.20.020 Tax Imposed. For the privilege of occupancy in any hotel each transient is subject to and shall pay a tax in the amount of twelve percent of the rent charged by the operator. For the privilege of occupancy in any recreational vehicle park for a period of no more than thirty days, each transient is subject to and shall pay a tax in the amount of twelve percent of the basic rent charged by the operator (excluding additional charges for extra persons or pets). Such tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel or recreational vehicle campground at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall due upon the transient's ceasing to occupy space in the hotel or recreational vehicle campground. If for any reason the tax due is not paid to the operator of the hotel or recreational vehicle campground, the city clerk may require that such tax shall be paid directly to the city clerk.

Section 2. Approval General Municipal Election; Effective Date.

This Ordinance amending Section 3.20.020 of Chapter 3.20 Transient Occupancy Tax of Title 3 Revenue and Finance of the San Dimas Municipal Code shall be in full force and effect ten (10) days after the date on which the City Council has approved the canvass of votes and declared that the voters of the City of San Dimas have approved said ordinance by a vote of no less than a majority of votes cast by the electors voting on the tax measure set forth in this ordinance at the general municipal election to be held on Tuesday, March 5, 2013. The effective date for purposes of levving the increased tax shall be July 1, 2013.

Section 3. This ordinance shall be amended or repealed by the voters of the City of San Dimas.

Section 4. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 9TH DAY OF OCTOBER 2012.

Curtis W. Morris, Mayor of the City of San Dimas

Jeluo Block
Debra Black, Deputy City Clerk

I, DEBRA BLACK, DEPUTY CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1213 was regularly introduced at the regular meeting of the City Council on September 25, 2012, and was thereafter adopted and passed at the regular meeting of the City Council held on October 9, 2012 by the following vote:

AYES: Morris, Badar, Bertone, Ebiner, Templeman

NOES: None ABSENT: None ABSTAIN: None

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a summary of Ordinance 1213 to be published in the Inland Valley Daily Bulletin, in accordance with the provisions of Section 36933 of the California Government Code.

A RESOLUTION OF THE CITY OF SAN DIMAS, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on March 5, 2013, for the election of Municipal Officers; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of San Dimas, California, on Tuesday, March 5, 2013, a General Municipal Election for the purpose of electing a Mayor for the full term of two years; and two Members of the City Council for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 14401 of the Elections Code of the State of California.

SECTION 5. That pursuant to Election Code Section 12310, a stipend for services for the persons named as precinct board members is fixed at the sum of \$100.00 for each Inspector and \$80.00 for each Clerk for the election. In addition, the sum of \$25.00 shall be given to each precinct board member to attend a training class; the sum of \$25.00 shall be paid to each precinct board member fluent in the Spanish language with the ability to translate election documents and assist voters; and the sum of \$10.00 shall be paid to each Inspector or their designee who carries a cell phone for communication during the election. The rental for each polling place, where a charge is made, shall be the sum of \$25.00 for the election. When required, the compensation of the Custodian of a building shall be \$25.00 for the election.

SECTION 6. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 8. That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted invoice.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED THIS 9th day of October, 2012.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2012-56 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of October 9, 2012, by the following vote:

AYES: Morris, Badar, Bertone, Ebiner, Templeman

NOES: ABSENT: ABSTAIN:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PLACING BEFORE THE VOTERS A CITY MEASURE INCREASING THE CITY'S TRANSIENT OCCUPANCY TAX FROM EIGHT PERCENT (8%) TO TWELVE PERCENT (12%)

WHEREAS, The City Council desires to submit to the voters at the General Municipal Election to be held on March 5, 2013 for the election of two members of the City Council and the Mayor, a question relating to increasing the transient occupancy tax; and,

WHEREAS, California Government Code Section 53724(b) authorizes the City Council to place such a tax measure before the voters subject to a two-thirds vote of all members of the legislative body.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Dimas that the City Council does hereby declare, determine and order as follows:

A. That the City Council, pursuant to its right and authority, does order submitted to the voters at the March 5, 2013 General Municipal Election the following question:

To provide funding for general city services, including public safety (Sheriff), parks and recreation, and maintenance of city streets and public area landscaping, shall the City of San Dimas approve an ordinance amending the San Dimas Municipal Code to increase the transient occupancy tax rate from eight (8%) to twelve (12%) on the rate charged to hotel and recreational vehicle campground guests staying within the City to be effective July 1, 2013?

Circonivo daily 1, 2010.		
	Yes	
	No	

B. That the ordinance to be enacted by a majority of the voters pursuant to Part A above shall be in the form set forth in Exhibit A, attached hereto.

PASSED AND ADOPTED as a resolution of the City Council of the City of San Dimas at the Regular Meeting held of the 9th day of October 2012 by the following vote:

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

Delin Black

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013

WHEREAS, a General Municipal Election is to be held in the City of San Dimas, California, on Tuesday, March 5, 2013; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of San Dimas.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish the following for use in conducting the election:

- 1. A listing of County precincts with number of registered voters in each, so city may consolidate election precincts into city voting precincts, and maps of the voting precincts;
 - 2. A list of polling places and poll workers the County uses for their elections;
- 3. The computer record of the names and addresses of all eligible registered voters in the city in order that the City's Consultant may:
 - a. Produce labels for vote-by-mail voters;
 - b. Produce labels for sample ballot pamphlets;
 - c. Print rosters of voters and Street Indexes;
 - 4. Voter signature verification services as needed;
- 5. Make available to the City election equipment and assistance as needed according to state law.

Section 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

Section 3. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

Section 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED THIS 9th day of October, 2012.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2012-58 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of October 9, 2012, by the following vote:

AYES:

Morris, Badar, Bertone, Ebiner, Templeman

NOES:

ABSENT: ABSTAIN:

Debra Black, Deputy City Clerk

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of San Dimas on Tuesday, March 5, 2013, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, the city is required to translate candidate's statements into Spanish.
- B. Pursuant to state law, the candidate's statement must be translated and printed (in the voters pamphlet) in any language at the candidate's request.
- C. The City Clerk shall
 - 1. Translations:
 - a) Have all candidates' statements translated into Spanish as specified in (A) above.
 - b) Have translated those statements into the languages as requested by the candidate as specified in (B) above.

2. Printing:

- a) Print all translations of all candidates' statements pursuant to (A) above, in the main voter pamphlets. Main voter pamphlets will be in English and Spanish.
- b) Print any translations of candidates, who so request printing in the main voter pamphlet - the main voter pamphlet will be an English and Spanish pamphlet, also containing candidate statement translations if requested by the candidate.

SECTION 3. PAYMENT.

A. Translations:

- 1) The candidate shall be required to pay for the cost of translating the candidate's statement into any <u>required</u> foreign language as specified in Section 2 (A) above, pursuant to State and Federal law.
- 2) The candidate shall be required to pay for the cost of translating the candidate statement into any foreign language that is not required as specified in Section 2 (B) above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

B. Printing:

- 1) The candidate shall be required to pay for the cost of printing the candidate's statement in English in the main voter pamphlet. The candidate shall be required to pay for the cost of printing of the candidate statement in any foreign language required in the voter pamphlet as specified in Section 2 (A) above.
- 2) The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language in the main voter pamphlet that is not required, but is requested by the candidate per Section 2 (B) above.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4. MISCELLANEOUS.

- A. All translations shall be provided by professionally-certified translators;
- B. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 6. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. That all previous resolutions establishing City Council policy on payment for candidate's statements are repealed.

SECTION 8. That this resolution shall apply only to the election to be held on March 5, 2013, and shall then be repealed.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 9^{th} day of October 2012 by the following vote:

AYES:

Morris, Badar, Bertone, Ebiner, Templeman

NOES: ABSENT: ABSTAIN:

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROVIDING DIRECTION TO THE CITY CLERK REGARDING ELECTION AND MEASURE AND SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING THE CITY MEASURE SUBMITTED AT THE MARCH 5, 2013 GENERAL MUNICIPAL ELECTION RELATING TO AN INCREASE IN THE TRANSIENT OCCUPANCY TAX, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, the City Council approved Resolution 2012-56 calling and giving notice of the holding of a General Municipal Election to be held on March 5, 2013 for the election of two members of the City Council and the Mayor as required by the provisions of the laws of the State of California relating to general law cities; and,

WHEREAS, The City Council desires to submit to the voters at the election a question relating to increasing the transient occupancy tax; and,

WHEREAS, California Government Code Section 9220 authorizes the City Council, by majority vote, to adopt provisions for the filing of primary arguments for city measures submitted at municipal elections; and,

WHEREAS, California Elections Code Section 9280 authorizes the City Council to direct the City Attorney to prepare an impartial analysis of said ballot measure; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Dimas that the City Council does hereby declare, determine and order as follows:

A. That the City Council has authorized that at the General Municipal Election the measure as set forth below shall be submitted to the voters.

CITYOF SAN DIMAS INCREASE OF TRANSIENT OCCUPANCY TAX ON THE RENT CHARGED TO HOTEL GUESTS FROM EIGHT PERCENT (8%) TO TWELVE (12%)

MEASURE A

To provide funding for general city services, including public safety (Sheriff), parks and recreation, and	
maintenance of city streets and public area landscaping,	
shall the City of San Dimas approve an ordinance	
amending the San Dimas Municipal Code to increase the	
transient occupancy tax rate from eight (8%) to twelve	
(12%) on the rate charged to hotel and recreational	
vehicle campground guests staying within the City to be effective July 1, 2013?	
□ Yes	
□ No	

- B. That the ballots to be used at the election shall be in a form and content as required by law.
- C. That the City Attorney is hereby directed to prepare and submit an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on the existing law.
- D. That the City Clerk is directed to deliver forthwith certified copies of this resolution to the Clerk of the Board of Supervisors of Los Angeles County and to the Registrar of Voters of Los Angeles County promptly upon its adoption.
- E. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election of this measure under the General Municipal Election called under City Resolution 2012-56.
- F. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.
- G. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election,, in time, form and manner as required by law.
- H. The City Council authorizes the following members of the City Council to file written argument(s) not exceeding 300 words regarding the City Measure as specified above, accompanied by the printed name(s) and signatures(s) of the person(s) submitting it, in accordance with Article 4, Chapter 3, Section 9 of the California Elections Code and to change the argument until and including the date fixed by the City Clerk after which no arguments for against the City measure may be submitted to the City Clerk.
- That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

Councilmember(s) in Favor	Councilmember(s) Against
Curtis W. Morris	None
Emmett Badar	
Denis Bertone	
John Ebiner	
Jeffrey Templeman	

PASSED, APPROVED AND ADOPTED THIS 9th day of October, 2012.

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

PASSED AND ADOPTED as a resolution of the City Council of the City of San Dimas at the Regular Meeting held of the 9th day of October 2012, by the following vote:

AYES: Morris, Badar, Bertone, Ebiner, Templeman

NOES: None ABSENT: None ABSTAIN: None

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR THE CITY MEASURE SUBMITTED AT THE MARCH 5, 2013 GENERAL MUNICIPAL ELECTION RELATING TO AN INCREASE IN THE TRANSIENT OCCUPANCY TAX

CITY OF SAN DIMAS

WHEREAS, The City Council desires to submit to the voters at the General Municipal Election to be held on March 5, 2013 for the election of two members of the City Council and the Mayor a question relating to increasing the transient occupancy tax; and,

WHEREAS, California Government Code Section 9282 authorizes the City Council, by majority vote, to adopt provisions for the filing of primary arguments for city measures submitted at municipal elections; and,

WHEREAS, California Elections Code Section 9285 authorizes the City Council by majority vote, to adopt provisions for the filing of rebuttal arguments for city measures at municipal elections.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Dimas that the City Council does hereby declare, determine and order as follows:

A. That pursuant to Sections 9282 and 9285 for the California Elections Code, when the City Clerk has selected arguments for and against the measure which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. A rebuttal argument may not be signed by more than five (5) authors. The rebuttal arguments shall be filed with the City Clerk not more than 10 days after the final date for filing primary arguments. Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument which it seeks to rebut.

PASSED AND ADOPTED as a resolution of the City Council of the City of San Dimas at the Regular Meeting held of the 9th day of October 2012, by the following vote:

Curtis W. Morris, Mayor City of San Dimas

ATTEST: